

EDO Principal Correspondence Control

FROM: DUE: 01/08/08

EDO CONTROL: G20070895

DOC DT: 12/21/07

FINAL REPLY:

Senator Hilliary Rodham Clinton

TO:

Chairman Klein

FOR SIGNATURE OF :

\*\* GRN \*\*

CRC NO: 07-0829

Chairman Klein

DESC:

ROUTING:

Failure of Entergy to Install an Adquate New  
Emergency Siren System; and the Coming Move to  
Dry Cask Storage of Spent Fuel at Indian Point  
(EDATS: SECY-2007-0579)

Reyes  
Virgilio  
Mallett  
Ash  
Ordaz  
Burns  
Dyer, NRR  
Weber, NMSS  
Schmit, OCA  
Cyr, OGC  
Ridge, OEDO

DATE: 12/21/07

ASSIGNED TO:

CONTACT:

RI

Collins

SPECIAL INSTRUCTIONS OR REMARKS:

Coordinate with NRR and NMSS.

Template: SECY-017

E-RIDS: SECY-01

**EDATS Number:** SECY-2007-0579

**Source:** SECY

## General Information

**Assigned To:** Region I

**OEDO Due Date:** 1/8/2008 5:00 PM

**Other Assignees:**

**SECY Due Date:** 1/10/2008 5:00 PM

**Subject:** Failure of Entergy to Install an Adequate New Emergency Siren System and the Coming Move to Dry Cask Storage of Spent Fuel at Indian Point

**Description:**

**CC Routing:** NRR; NMSS; OGC; OCA

**ADAMS Accession Numbers - Incoming:** NONE

**Response/Package:** NONE

## Other Information

**Cross Reference Number:** G20070895, LTR-07-0829

**Staff Initiated:** NO

**Related Task:**

**Recurring Item:** NO

**File Routing:** EDATS

**Agency Lesson Learned:** NO

**Roadmap Item:** NO

## Process Information

**Action Type:** Letter

**Priority:** Medium

**Signature Level:** Chairman Klein

**Sensitivity:** None

**Urgency:** NO

**OEDO Concurrence:** YES

**OCM Concurrence:** NO

**OCA Concurrence:** NO

**Special Instructions:** Coordinate with NRR and NMSS.

## Document Information

**Originator Name:** Chairman Klein

**Date of Incoming:** 12/21/2007

**Originating Organization:** Congress

**Document Received by SECY Date:** 12/21/2007

**Addressee:** Chairman Klein

**Date Response Requested by Originator:** 1/8/2008

**Incoming Task Received:** Letter

OFFICE OF THE SECRETARY  
CORRESPONDENCE CONTROL TICKET

Date Printed: Dec 21, 2007 15:09

PAPER NUMBER: LTR-07-0829

LOGGING DATE: 12/21/2007

ACTION OFFICE: EDO

AUTHOR: SEN Hillary Rodham Clinton

AFFILIATION: CONG

ADDRESSEE: CHRM Dale Klein

SUBJECT: Concerns failure of Entergy to install an adequate new emergency siren system; and the coming move to dry cask storage of spent fuel at Indian Point

ACTION: Signature of Chairman

DISTRIBUTION: OCA to Ack, RF

LETTER DATE: 12/21/2007

ACKNOWLEDGED No

SPECIAL HANDLING:

NOTES:

FILE LOCATION: ADAMS

DATE DUE: 01/10/2008

DATE SIGNED:

EDO --G20070895

HILLARY RODHAM CLINTON

NEW YORK

SENATOR

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ARMED SERVICES  
ENVIRONMENT AND PUBLIC WORKS  
HEALTH, EDUCATION, LABOR, AND PENSIONS  
SPECIAL COMMITTEE ON AGING

# United States Senate

WASHINGTON, DC 20510-3204

December 21, 2007

Dr. Dale E. Klein  
Chairman  
Nuclear Regulatory Commission  
Washington, D.C. 20555

Dear Chairman Klein:

I have worked hard over the last six years to push both the Nuclear Regulatory Commission (NRC) and Entergy to improve safety, security and emergency preparedness at Indian Point. While improvements have been made, problems persist at the plant. At the same time, new issues and challenges continue to emerge. I write today regarding two issues that exemplify these two types of concerns: the failure of Entergy to install an adequate new emergency siren system; and the coming move to dry cask storage of spent fuel at Indian Point.

I am extremely dismayed about the continued failure of Entergy to put a siren system in place that meets the requirements of the Energy Policy Act of 2005, and the related Nuclear Regulatory Commission orders. We will soon reach the one year anniversary of the date by which the new siren system with backup power was supposed to be in place. When that original deadline approached, Entergy applied for and received an extension of the deadline to April 15<sup>th</sup> of 2007. Entergy subsequently missed that extended deadline, and was fined \$130,000 by the NRC. Since that time, Entergy and the Federal Emergency Management Agency (FEMA) have been in talks to discuss how the new siren system can be modified to meet the applicable requirements. In my view, it is time for the NRC to become more involved in order to drive these talks to a conclusion, and then to use its enforcement tools to force Entergy to devote the resources that are required to achieve the long-delayed goal of having a new siren system in place that complies with the law and enhances public safety.

In addition, I note that Entergy will soon move spent fuel rods from pools at Indian Point to dry cask storage on site. This action will have benefits; in particular, it will enable Indian Point to empty the spent fuel pool that has been leaking water contaminated with strontium 90 into the environment. At the same time, any action involving spent fuel presents potential hazards and security risks. With these risks in mind, I urge you to take whatever measures are required to ensure that Entergy puts public safety and security first during this new phase of operations at Indian Point.

The continuing drumbeat of problems at Indian Point has undermined public confidence in both Entergy and the NRC. How the siren and dry cask storage issues are handled in the coming months will send a signal to the public about whether there is a renewed commitment to

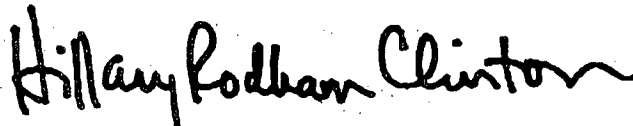
Received SECY/C&R

Date: 12/21/07

Time: 2:10 p.m.

public safety by federal regulators and the plant's owners. I urge the NRC to use this opportunity to demonstrate a new seriousness about getting it right at Indian Point.

Sincerely yours,

A handwritten signature in black ink, reading "Hillary Rodham Clinton". The signature is written in a cursive, flowing style with a prominent initial "H" and a long, sweeping underline.

Hillary Rodham Clinton